

NATIONAL SEASHORE MANAGEMENT AND OPERATIONS

COOPERATIVE PLANNING AND MANAGEMENT

CONTEXT: The management of Cape Cod National Seashore must balance public use requirements with the protection of sensitive resources. The special resources that characterize the Outer Cape transcend political boundaries. The quality of life and the economic needs of nearby communities affect seashore resources, just as the management of resources within the national seashore has significant effects on the towns. For this reason a collaborative approach to stewardship among the six Outer Cape towns and all seashore partners is essential.

A program to identify collaborative decision-making models that can be jointly selected by a town and the national seashore is currently underway. The use of some models may require legislative action. Also, the Cape Cod Commission's 1996 *Regional Policy Plan* identifies several opportunities to coordinate planning among the National Park Service, local communities, and the commission. The commission is working with some seashore communities to develop local comprehensive plans. The commission has also identified several developments of regional impact both inside and outside national seashore boundaries.

There is a mutually beneficial relationship between the business community on the Outer Cape and the national seashore, and together the public and private sectors have opportunities to ensure the long-term health of the Cape, environmentally as well as economically.

National seashore managers will continue to emphasize collaborative decision making to address topics involving shared resources. For example, negotiated rule making for ORV use involved all interested parties, and parking at Truro beaches was initially addressed jointly by town and seashore staff members. The Park Service will encourage other groups on the Cape to follow similar collaborative approaches when addressing topics of mutual concern.

In cooperation with its partners, the Park Service would encourage a holistic approach to making decisions that are respectful of local residents and mindful of the overall health and future of Cape Cod's shared resources.

- ☐ **GOAL: Engage in collaborative processes to enhance natural and cultural resource management and public use on the Outer Cape.**

STRATEGIES: *Discussions with the Cape Cod National Seashore Advisory Commission* — The advisory commission provides a forum for the National Park Service and commission members to discuss and understand various issues, including town concerns, public reactions to planning proposals, impacts of NPS actions on local residents, and the effects of local actions on national seashore resources. Community representatives will continue to be relied upon to act as liaisons with their towns. As is the case now, the public will be

encouraged to participate in advisory commission meetings. Standing and special subcommittees will continue to be used to focus on particular subject areas requiring more in-depth participation and analysis.

Guiding principles for decision-making — In addition to the goals and strategies articulated in this plan, national seashore decision makers will take the following broader overarching considerations into account:

- compliance with the enabling legislation, deeds, and other legal arrangements
- relevant laws and regulations and existing authorities
- specific town or other agency concerns
- compatibility with national seashore mandates, including natural and cultural resource protection, public safety, and other concerns
- the range of public opinions and community desires, including points of agreement and disagreement
- applicability of local comprehensive plans
- estimated costs, cost-effectiveness, and cost-sharing possibilities or the ability to leverage federal funds
- sustainable, or environmentally sound, practices or conservation methods

Opportunities for mediation, collaborative problem solving, negotiated rule making, and other forms of alternative dispute resolution will be explored, as necessary.

Methods to formalize intergovernmental cooperation — Mechanisms that formalize intergovernmental relationships with municipalities or other governmental agencies will be explored and adopted as appropriate to address specific concerns or to provide a structure for collaborative problem solving or decision making to address specific issues of concern or interest that may arise in the various Outer Cape communities. These may include memorandums of agreement, memorandums of understanding, cooperative agreements, joint powers agreements, compacts, partnerships, ombudsmen, task forces, community policing, and councils. Each mechanism will include guidance for participatory public involvement. Models from other areas will be considered for adaptation to seashore and community purposes. An advisory commission task group has been convened to help identify proper partnership approaches. Consultations with town boards of selectmen, other agencies, and the public will also continue.

Collaborative problem solving — As situations and opportunities arise, joint working groups will be encouraged to address problems of mutual concern. Representatives of local towns, the Cape Cod Commission, the National Park Service, and others should be included on the working groups. Joint town/seashore working groups, with the assistance of the Cape Cod Commission, will continue to address regional topics, such as water management, land banking, pathway development, and the cumulative regional implications of various capacity studies for the Cape.

Collaborative problem-solving strategies with local communities and other entities will be mutually determined with each Outer Cape town, citizen groups, and other organizations and entities. Matters that can be addressed include public use management, town interests and the use of municipal lands within

the national seashore, the management of ponds that are owned and managed by different entities, public safety, transportation, water, coastal issues, land use planning, public facilities and services, and utility projects, such as telecommunications facility proposals and undergrounding utilities.

□ GOAL: Help promote a land and resource stewardship ethic and practice that will enhance natural and cultural resource protection on the Outer Cape.

Partnership building — Links to organizations like the Lower Cape Community Development Corporation will be established to obtain technical assistance in building partnerships. For example, this will include assistance in identifying and organizing partnership programs for the reuse of the former North Truro air force station for educational and research purposes, consistent with mutual Outer Cape and national seashore objectives. Partnership programs at the Highlands center for the arts and environment (at the former North Truro air force station) will be encouraged and could have a positive effect on the year-round economy while promoting effective stewardship.

Cooperative fund-raising and outreach efforts — Fund-raising and educational outreach efforts can be cooperatively developed with the business community through organizations such as the Friends of Cape Cod National Seashore, chambers of commerce, and economic development associations. Possible examples include business sponsorship of educational outreach programs, or businesses helping friends groups and other organizations develop business expertise that may be used for successful fund raising and grant writing to support and engage in special projects (such as fund raising to preserve the bog house or trail construction and maintenance).

Cooperative ventures to preserve resources — National seashore managers will continue to undertake cooperative ventures with nonprofit partners, volunteers, and others to support the purposes of the national seashore, and they will seek new cooperative relationships and organized volunteer opportunities in a variety of roles, as appropriate. Examples of cooperative ventures include the following:

- maintaining historic buildings and cultural landscapes through cooperative agreements with a variety of groups, such as the operation and maintenance of Highland Light through a cooperative historic lease arrangement with the Truro Historical Society, and the Nauset Light through the Nauset Light Preservation Society
- preserving and protecting lighthouses in Provincetown in cooperation with the U.S. Coast Guard, the U.S. and New England Lighthouse Foundations, and others
- contacting schools, such as Cape Cod Regional Vocational Technical School, to request assistance in maintaining seashore buildings
- jointly developing and operating facilities, and potentially sharing funding and exchanging personnel
- cooperatively implementing recommendations of ethnographic research to preserve the cultural heritage of Cape Cod

- recording archeological site data in cooperation with the Massachusetts Historical Commission, with the assistance of volunteers from the Massachusetts Archeological Society
- producing historic structure reports and recommendations for maintaining and renovating historic buildings within the national seashore through contracts and existing cooperative agreements with other agencies and organizations, such as The Society for the Preservation of New England Antiquities
- working with a coalition of groups interested in historic preservation of the Penniman house and the Fort Hill area in Eastham
- working with the Friends of Cape Cod National Seashore and the Cape Cod Cooperative Extension on the preservation of the Pamet cranberry bog house and bog
- examining possibilities for longer permit periods for historic buildings and other facilities within the seashore, including concessions and privately owned commercial properties, to improve reinvestment incentives in order to keep the properties in good shape
- expanding air resources research and monitoring programs in conjunction with the Massachusetts Department of Environmental Protection and the U.S. Environmental Protection Agency
- working cooperatively with the state and local towns to manage hunting, to assist in enforcing fishing regulations, and to establish a common understanding of aquaculture issues as they relate to the national seashore and to develop shared resource protection goals
- working cooperatively with federal, state, and local agencies and private landowners to protect and restore wetlands
- working cooperatively with state and local agencies, land trusts, and private landowners to continue to protect open space and public access opportunities, possibly including trail maintenance agreements with organized hiking groups
- working cooperatively with organizations such as the Massachusetts Audubon Society and the Massachusetts Natural Heritage Program to expand efforts to protect both federal and state-listed species of rare, threatened, or endangered plants or animals
- working cooperatively with other federal land managing agencies at Stellwagen Bank National Marine Sanctuary and Morris Island / Monomoy National Wildlife Refuge on issues of mutual concern, including public information on common themes
- working with the Cape Cod Commission, Barnstable County, and other entities on major projects that could affect the Outer Cape, including the Massachusetts Water Resources Authority outfall pipe, developments of regional impact, and other issues of similarly broad effect
- developing the Cape Cod National Seashore biology lab into a cooperatively shared facility for Atlantic coastal seashores (called the North

Atlantic Coastal Laboratory — NACL), and providing information applicable to local and regional land managers and other federal agencies

Staff expertise — An additional staff position will be required to coordinate joint partnership activities. A priority will be placed on past experience in public/private or federal/local partnerships.

ADMINISTRATIVE AND MAINTENANCE FACILITIES

CONTEXT: Primary locations for NPS administrative offices include the headquarters building at Marconi Station, the Salt Pond and Province Lands visitor centers, and three ranger stations at Race Point in the north district and at Marconi Station and Little Creek on Nauset Road in the south district. The two primary maintenance facilities are the north district maintenance yard on Race Point Road and the south district maintenance yard at Marconi Station.

Most administrative and maintenance facilities at the national seashore were built or acquired within 10 years of its authorization. There is a shortage of appropriate office and maintenance space, and it is anticipated more space will be needed in the future.

National seashore operations create development impacts (such as parking, utilities, maintenance facilities, and administrative buildings) that conflict with the natural setting. Several landscapes surrounding NPS facilities require maintenance and irrigation. There are concerns about possible groundwater contamination from fertilizers and other lawn maintenance practices.

- ☐ **GOAL: Provide adequate, safe, energy-efficient, cost-effective facilities in a manner that minimizes impacts on natural and cultural resources, national seashore residents, and local communities.**

STRATEGIES: *Sustainable practices* — A comprehensive action plan will be developed to incorporate sustainable practices into seashore operations.

National seashore staff will review all operations and determine how to perform routine tasks or functions with less impact on both regional and global resources. For example, facilities can be upgraded with technologies such as no-flush toilets, graywater management systems, reduced-flow fixtures, and alternative wastewater treatment facilities. Native species that require little water can be used in landscaping.

Operational space needs — Existing and projected operational space needs for the entire national seashore will be studied and compared to the inventory of all present facilities. From this information the seashore staff will determine the following:

- the best distribution of operational functions
- which structures should be retained and rehabilitated and for what uses
- what new structures should be built and where
- which structures need to be retrofitted
- what structures should be removed

Criteria for deciding operational space needs — Management decisions will be based on meeting the following criteria:

- The configuration and physical condition of existing facilities will allow for cost-effective rehabilitation.
- The facilities will blend into the environment, complementing natural features and having a minimal impact on the character of the national seashore.
- Significant historical or cultural values can be preserved.
- The use of a site or structure as an operations facility will be compatible with the existing or proposed use of the immediate environs.
- Impacts on sensitive resource areas will be avoided.
- Impacts on local communities will be minimized.
- No hazardous areas (sites with unstable soils and geologic conditions, floodplains, and coastal high-hazard areas) will be affected when relocating or siting new facilities.
- Operational facilities can be made as accessible as practicable to persons with disabilities.

Appearance of new facilities — The size, scale, color, location, and design of new facilities will be functional, sustainable, and compatible in appearance with existing structures. The intent will be to perpetuate the character of Cape Cod.

Former use-and-occupancy structures — Once use-and-occupancy reservations have ended, the structures may be adaptively used for staff or volunteer housing or operational needs. This will be especially advantageous when impacts will be reduced elsewhere by vacating existing park facilities (also see the “Reservations of Use and Occupancy” section, page 106).

Expertise needed — Greater support will be needed, potentially from volunteers, to maintain national seashore facilities. Additional training will also be needed for NPS personnel in maintenance procedures for historic properties.

□ GOAL: Ensure that site planning and revegetation efforts associated with NPS facilities are environmentally appropriate, meet the functional needs of the associated facility, are attractive, and serve as models for sustainable practices.

Maintained landscapes — Nonnative, more intensively maintained landscapes will be eliminated or substantially reduced. All maintained landscapes (primarily at the Salt Pond visitor center, the Three Sisters Lights, the national seashore headquarters, and the North Truro air force station) will be assessed and modified as necessary, in accordance with sustainable practices and the following standards:

- Highly maintained landscapes will be minimized at public use facilities. The amount of landscaping at administrative and maintenance facilities should be limited to that needed to protect the structures from fire and natural hazards and to provide exercise and training space for employees.
- The restoration of native plant species will be emphasized over maintained landscapes except where operational and cultural landscape needs cannot otherwise be met. Where lawns are desired, native species will be used where possible.

- Plant materials that have minimal need for fertilizers, pesticides, irrigation, and maintenance will be selected.
- Construction features and materials that minimize the need for maintenance will be used.
- Landscape design features and materials will need to complement both the surrounding natural landscape and the facility itself.
- Design features and materials will not be allowed to create a fire hazard.

STAFF HOUSING

CONTEXT: Government housing at the national seashore is made available to employees and volunteers to ensure the presence of staff to manage and protect resources, reduce the burden on the local housing supply, provide for appropriate visitor use, and ensure public safety. Housing is provided for seasonal employees since Cape Cod is a summer resort area, and short-term employees are often unable to find affordable housing in local towns. Approximately 80 housing units suitable for year-round and seasonal occupancy are scattered throughout the national seashore. The seashore has the capacity to house approximately 24 year-round employees and 138 seasonal employees. Under current maintenance conditions and projected staffing needs there may not be sufficient park housing or an appropriate distribution to satisfy future needs.

Some government housing is in or near sensitive resource areas or interferes with the setting of the national seashore (for example, houses along Nauset Marsh).

The national seashore's current housing program is not financially self-sustaining for several reasons. All housing was constructed before 1960, and this aging housing stock requires high levels of maintenance; however, the seasonal housing units only generate rent for a few months each year. Housing unit rents are not sufficient to maintain the units in good condition.

Current annual expenditures for staff housing are significant (\$250,000 to \$300,000). However, this is insufficient to keep pace with annual operational and maintenance costs due to the age of the housing stock. This has resulted in an extensive backlog of deferred maintenance. About two-thirds of the housing stock is in fair, poor, or obsolete condition. Recent legislation authorizes the National Park Service to develop innovative alternative means of providing for employee housing needs.

The national seashore has a *Housing Management Plan*, with a detailed housing assessment. This plan is updated periodically.

☐ **GOAL: Address staff housing needs by developing a variety of housing options for employees and volunteers.**

STRATEGIES: *Staff housing needs* — Existing and forecasted housing needs will be comprehensively studied and compared to the inventory of all seashore housing to identify shortages or excesses, which structures need to be retained, rehabilitated, removed, or relocated, and what new structures need to be built and where. Local communities will be consulted before any changes in housing patterns likely to have an impact on them, such as new construction or major shifts in type or density. Surplus structures may be made available to local communities for affordable housing.

Decisions will be based on the following guidelines:

- In general, dispersed, single detached units will be used for year-round employees; concentrated, multiple units (such as duplexes, efficiency apartments, and dormitories) will be used for seasonal employees. However, for seasonal employees with families or domestic partners, single detached units may be made available.

- Large, single-family homes will be considered for subdivision into smaller living units.

Seasonal employee housing — The National Park Service will emphasize locating seasonal employee housing in existing NPS residential areas or at renovated facilities at the North Truro air force station. The intent will be to concentrate housing to provide better access to services and transportation and to improve cost-effectiveness. Reducing housing at dispersed sites throughout the national seashore will be considered.

Housing repair, rehabilitation, or replacement — Alternative arrangements will be explored to repair, rehabilitate, and replace housing units. Examples include financial support from the business community and volunteer work through organizations such as the Friends of Cape Cod National Seashore.

Extended occupancy of seasonal housing — To help make the maintenance of seasonal staff housing more cost-effective, efforts will be made to have units occupied longer. Examples include renting seashore housing to volunteers, visiting researchers, and employees of cooperating agencies or other partners.

Emergency-response employees — Certain emergency-response employees must be able to respond to resource or visitor protection needs at any time of the day or night. Housing will be provided within the national seashore where appropriate, or employees may occupy housing in surrounding communities.

Developing alternative housing options — Staff housing will be provided to permanent employees who may not be able to afford housing in the private sector. Methods to develop alternative housing options include

- providing housing with shared cooking facilities, perhaps by rehabilitating structures at the North Truro air force station as dormitories
- exploring possibilities to provide housing subsidies to staff who live outside the national seashore when local housing is not affordable
- exploring opportunities for the Park Service to lease housing outside seashore boundaries to use as staff rentals
- providing information to help staff find housing outside the seashore and to assist groups of employees to live together and share costs

Use-and-occupancy structures — Once use-and-occupancy reservations end, structures in areas with nonsensitive resources or where impacts can be mitigated will be considered for staff housing.

☐ **GOAL: Provide adequate, safe, energy-efficient, and cost-effective staff housing in a manner that minimizes impacts on natural and cultural resources, national seashore residents, and local communities.**

STRATEGIES: *Structures in sensitive resource areas* — Existing structures will be removed from sensitive resource areas unless appropriate mitigating measures are taken. Sensitive resource areas include pond frontages, sensitive vegetation communities, and areas where structures would be incompatible visual intrusions or where structures would be located on prominent landforms.

Preservation of significant historical or cultural values — Properties eligible for listing on the National Register of Historic Places will be considered for continued use for staff housing or the historic leasing program to ensure their upkeep. Any significant historical or cultural values associated with structures identified for housing will be preserved. Only those historic houses or other

structures that are in good physical condition, that are suitable for use, and that can be cost-effectively rehabilitated will be considered for reuse.

Siting of staff housing — In evaluating a site or structure for staff housing, the Park Service will ensure that there are no sensitive resources (including archeological sites or sensitive vegetation) onsite or that impacts can be mitigated, and that housing will be compatible with the immediate environs. Also, hazardous areas will be avoided when relocating or siting new facilities. Hazardous areas include sites with unstable soils and geologic conditions, floodplains, and coastal high-hazard areas.

Wastewater treatment systems — Wastewater treatment systems will be assessed for existing and future housing, and necessary actions to minimize impacts on adjacent natural and cultural resources will be taken. For example, nitrate contamination to bays and estuaries will be limited. In accordance with public health and wetland standards, the National Park Service will continue to request approval from local towns or where necessary the state for national seashore septic systems.

Accessibility for persons with disabilities — Selected housing units will be adapted as necessary to improve them for use by persons with disabilities.

UTILITIES

CONTEXT: Facilities both within and outside Cape Cod National Seashore use water from wells on NPS property. Water for NPS facilities in the Province Lands is provided by the town of Provincetown, with water acquired from the town's municipal wells outside the national seashore boundary; also, two wells on federal land at the former North Truro air force station have been used to supplement Provincetown water supplies during the summer months since 1978. Other towns may be interested in municipal water system withdrawals within the national seashore. The National Park Service is concerned about the potential effects of groundwater withdrawals, particularly with respect to decreased groundwater discharge to wetland and riparian ecosystems. The Park Service has begun a joint process with the Outer Cape towns, under the auspices of the Cape Cod Commission, to address water supply issues on a regional basis; this process started with the Lower Cape water study. The goal is to identify optimum sites for safe withdrawal, taking into account both water quality and resource protection, regardless of political boundaries.

Septic systems are the primary means of dealing with human waste throughout the national seashore. Many systems need to be continuously maintained and upgraded.

Aboveground utility lines (electricity, telephone, and cable television) to improved properties within the national seashore cross NPS land. In some cases the property owners are responsible for maintenance costs. At issue is the damage to resources and the landscape that can occur during maintenance operations.

- **GOAL: Provide safe, energy-efficient, and cost-effective utilities in a manner that minimizes impacts on natural and cultural resources, national seashore residents, and local communities.**

STRATEGIES: *Regional cooperation and joint use of utilities* — The National Park Service will cooperatively develop and maintain a stronger regional perspective when considering options for providing utilities and services, including potable water. (A more in-depth discussion of water is contained in the “Water Resources” section, see pages **Error! Bookmark not defined.–Error! Bookmark not defined.**).

Water conservation measures and public awareness of water resources — Water conservation measures will be implemented as facilities are upgraded, such as installing waterless toilets and low-flow fixtures. Public awareness of water resource concerns, water conservation, and pollution prevention will be promoted in cooperation with local towns and the Cape Cod Commission and the Association for the Preservation of Cape Cod.

Municipal groundwater use — The Park Service will study the merits of allowing groundwater use from wells within NPS boundaries if the special concerns, conditions, and authorities discussed in the “Water Resources” section are met (see pages **Error! Bookmark not defined.–Error! Bookmark not defined.**).

Septic systems — At a minimum all NPS septic systems will meet state and local standards. Where feasible, the National Park Service will use phosphorous- or nitrate-reducing or zero-discharge systems. In cooperation with town boards of health, the Park Service will encourage the owners of improved properties in sensitive resource areas (such as ponds, watersheds, and salt marsh environments) to similarly upgrade septic systems.

The national seashore will proactively promote alternative systems and ongoing septic system upgrades. As a demonstration project, the Park Service will use alternative technologies to provide for wastewater treatment at facilities such as the former North Truro air force station and the Salt Pond visitor center. These facilities will then be used as models to show sustainable practices to the public (also see page 96).

Wastewater treatment systems will be assessed for existing and future housing, and necessary actions to minimize impacts on adjacent natural and cultural resources and community character will be taken. For example, nitrate contamination to bays and estuaries will be limited.

Waste management practices — The National Park Service will consult with the county and local towns to develop waste management practices for the national seashore. Some of these practices are already proving to be economically and environmentally viable in dealing with household composting, recycling, hazardous material disposal, trash burning, and the exchange of usable household items.

Solid waste removal — More cost-effective and efficient solid waste removal practices within the national seashore will be considered, including eventually contracting with a private company. Waste is disposed of by local town transfer stations on a fee basis.

Undergrounding powerlines — To reduce visual intrusions caused by overhead powerlines and landscape disruption from associated maintenance, NPS-owned powerlines will be placed underground where it is possible to do so without harm to archeological resources, cultural landscapes, or natural resources. The National Park Service supports county efforts to promote the undergrounding of

all distribution lines. Local utility companies and national seashore residents will also be encouraged to place all powerlines underground, while at the same time addressing concerns related to archeological resources, cultural landscapes, and natural resources. Where federal property is served by the line, costs to help place the powerlines underground will be shared, as funding allows. Any new or relocated powerline right-of-way alignments should follow existing disturbed areas, such as roadbeds.

Maintenance standards for overhead powerlines — Standards will be developed to minimize disruption to natural and cultural resources during maintenance operations of remaining aboveground powerlines not owned by the Park Service. Property owners and utility companies will be required to meet these standards on national seashore lands. Utility companies or owners of improved properties will be encouraged to consider the environmental and scenic impacts of utility line installation and maintenance.

Telecommunication towers — In collaboration with the local communities and the Cape Cod Commission, proposals for telecommunication towers or antenna arrays within the national seashore will be reviewed in context with NPS policies and relevant town zoning and/or regional policies. Freestanding towers above a certain height are also subject to Cape Cod Commission review. Alternatives will be considered that will not create new visual or scenic impacts, site disturbance, public health and safety problems, or other natural or cultural resource impacts.

Underground fuel storage tanks — The Park Service will ensure that underground fuel storage tanks meet current codes and that threats to the environment are minimized or prevented on NPS-owned use-and-occupancy properties. The Park Service will also inventory and encourage owners of improved properties to upgrade underground fuel storage systems or remedy problems to comply with current codes and regulations, as needed.

Alternative energy sources — Alternative energy sources, including photovoltaic systems and wind generators, will be considered wherever impacts on the national seashore's resources will be reduced. Regional and local standards will be considered. Demonstration projects for providing energy to NPS facilities will be undertaken for energy efficiency and public education purposes.

Natural gas — The use of natural gas may be considered if energy- and cost-efficient. Requests to cross seashore lands with natural gas distribution lines may require authorizing legislation. For the placement of gas lines, the Park Service will require the use of existing road or utility corridors only.

Reduced energy consumption — The Park Service will seek to reduce energy consumption in general. In achieving this strategy, the following programs will be emphasized:

- recycled graywater systems
- reduced waste production
- environmentally sound waste disposal techniques, such as composting
- alternative fuels for vehicles
- alternative energy sources
- conversion to efficient lighting fixtures

SERVICES EXCHANGED WITH LOCAL COMMUNITIES

CONTEXT: Public users, as well as NPS staff, at Cape Cod National Seashore currently benefit from services provided by local towns, including police and fire protection, ambulance service, potable water supply (in Provincetown), use of regional wastewater treatment facilities, use of waste transfer stations (in Eastham, Provincetown, Truro, and Wellfleet on a fee-for-service basis), road maintenance and snow plowing, and schools. In turn the National Park Service provides law enforcement, fire-fighting, search and rescue, emergency medical services, road maintenance and snow plowing, environmental education and interpretive programs, and lifeguard services to local towns. The Provincetown and Truro trash transfer stations are within the national seashore boundary.

Many of the services provided to the national seashore are paid for through cooperative agreements and fees. Sometimes these payments are not perceived by town residents to be equitable. This situation is compounded because visitors to the national seashore are also visitors to the Outer Cape towns, and it is unclear whether the presence of visitors and the workload they create is the responsibility of the national seashore, the towns, or both.

Sand roads throughout the national seashore receive both public and private use. The roads are owned by private landowners, local towns, and the Park Service, but the ownership of some roads is difficult to determine and is disputed. At issue is who is responsible for maintenance and whether these roads should continue to be open for vehicle use or closed and not maintained.

- ☐ **GOAL: Continue building cooperative and trusting relationships with local communities to provide a framework for the National Park Service to protect resources and serve the public while being sensitive to the social and economic well-being of local communities and residents.**

STRATEGIES: *Regional coordination of services* — National seashore managers will work to coordinate services such as police and fire protection, community-oriented policing strategies, ambulance service, waste removal and recycling, hazardous waste management, and road maintenance with the Outer Cape towns. Collaboration with the Cape Cod Commission will be one mechanism to achieve this coordination. The National Park Service will seek *ex officio* membership on the commission and offer assistance in coordinating efforts. The national seashore will continue to use those services, such as trash disposal, water, and wastewater treatment, for which it pays a proportionate share.

Waste management — Consultation with relevant towns will continue regarding waste management practices by and within the national seashore. Activities at the Truro and Provincetown trash transfer station facilities within the national

seashore will be subject to applicable federal, state, and local regulations. The Provincetown facility will also be subject to relevant commonwealth and NPS deed restrictions.

Equitable compensation for services — It is important that local towns and the Park Service continue to cooperate in providing mutually beneficial services. It is also important that where compensation is involved, it be equitable and reflect the true value of responsibilities and services. The Park Service and local towns are mutually dependent in creating and updating cost-sharing agreements for local schools and services. The Park Service will work with the towns to identify and periodically evaluate cost sharing and agreements that can be negotiated and implemented at the park level or at an upper NPS policy level, and those that must be addressed by Congress.

Paved roads within national seashore boundaries — The use of NPS-owned paved roads within the national seashore will be analyzed. The Park Service will also cooperate with towns and private owners to ensure that all roads within the national seashore are appropriately maintained for their level of use.

Sand roads within national seashore boundaries □ The Park Service will work with local towns, landowners, and other affected users to determine the ownership, level of use, and access rights for all sand roads. Maintenance will be the responsibility of the owner or shared among multiple owners. Where NPS-owned sand roads are not needed for fire suppression access purposes, access to remote private residences, or alternative routes for emergency vehicles, the roads will be considered for closure to vehicle traffic; there will be prior consultation with affected towns. The purpose in closing such roads will be to reduce maintenance costs and impacts on resources, and to prevent access to areas where illegal dumping occurs. Some sand roads will be left open for access to park features and recreation spots. Special consideration will be given to long-standing public, designated ways, such as the Old King's Highway, which has been used continuously and maintains its cultural significance. Former sand roads no longer used for vehicular traffic will continue to be used for hiking, dog walking, and bicycling.

RESERVATIONS OF USE AND OCCUPANCY

CONTEXT: The majority of the properties under use-and-occupancy reservations contain structures that were built after September 1, 1959. Upon acquisition by the National Park Service, many owners were paid the appraised value of their homes at the time of sale. However, some owners elected to take part of the purchase price, or full compensation for their residences when property ownership rights were in dispute, in the form of a retained right to use and occupy the properties for up to 25 years or for the rest of their lives. At the end of the occupancy period, the right to use and occupy the premises expires, and the National Park Service takes full possession of the property and all improvements on it without further compensation. At that time the Park Service decides whether the structure(s) would be removed or adaptively used. Use-and-occupancy reservation structures are subject to the intent of the national seashore legislation and the agreements made with the affected homeowners at the time of acquisition. Subsequent reuse of the structures must be consistent with these considerations.

Originally there were more than 100 properties under use-and-occupancy reservations. One-third have expired (or have ended voluntarily), and the dwellings have been vacated. Approximately 65 use-and-occupancy reservations remain, about two-thirds of which are due to expire within the next five years. Some holders of the use-and-occupancy reservations are seeking to retain occupancy past the expiration of their reservations. The Park Service has no authority to extend a reservation because the period was established under the sales contract. There are some cases where the use of a property is meeting a fundamental shelter need for the occupant, and the possibility of hardship must be considered.

At issue is what should be done with the structures when they become vacant. NPS decisions regarding appropriate uses of these properties must meet federal property laws and policy guidance, as well as national seashore administration needs. If and when any properties are permitted to private individuals, the workloads involved in satisfying the necessary requirements and the lack of authority to retain permit revenues at the national seashore must be taken into account. Each structure is considered individually when it becomes vacant.

- ☐ **GOAL: Identify and apply strategies to achieve the eventual removal of use-and-occupancy property improvements, taking into account resource values, bona fide hardship issues, and practical considerations such as the condition of the structures and the availability of funds to remove them.**

STRATEGIES: *Continued use of properties under hardship conditions —*

Limited continued use of properties formerly under use-and-occupancy reservations will be permitted by private individuals under certain conditions. In such cases properties will be available for continued residential occupancy for an interim period only in bona fide hardship situations (for example, in the case of medical or financial hardship). A special use permit will be issued to

authorize the occupancy. Consideration will be generally given only to original owners who are year-round residents with no other home. Former owners with a medical hardship may be permitted to live out their lives in these residences; former owners with a financial hardship will be permitted occupancy for the period of the hardship. Federal law pertaining to the private rental of government-owned structures will apply in establishing rental rates.

Use of other properties where use-and-occupancy reservations have ended —

Except in cases of hardship as discussed above, once use-and-occupancy reservations end, the following actions will be considered for structures:

- Determine if a structure should be removed or retained for a short- or long-term use.
- Remove any structure in or adjacent to a sensitive resource area, as determined by staff specialists, such as a wetland protection area or an archeological site.
- For structures that are not to be removed, national seashore managers will decide which ones may be used for national seashore purposes for long- or short-term periods according to the following priorities:
 - (1) For long-term use, national seashore managers will
 - (a) consider using structures for NPS purposes (such as housing, environmental programs, or offices, or for historic leasing, if appropriate), especially when impacts elsewhere can be reduced by vacating existing structures already in use. (If a structure on one of these properties is retained indefinitely, removal of another park structure will be undertaken in exchange.)
 - (b) consider seeking arrangements of mutual benefit, such as surplus for relocation and reuse outside the seashore, land exchanges with local towns for affordable housing in return for municipal properties when such exchanges will protect sensitive resource areas, or donation for use outside the seashore by towns or appropriate agencies for affordable housing
 - (2) For other properties, national seashore managers will consider short-term use and will
 - (a) issue short-term permits or short-term leases for selected properties for residential purposes, and seek authority to use the proceeds for administrative expenses and eventual building demolition and site restoration (selection among applicants for short-term residential use will be based on current NPS policy and equity issues for choosing private users and length of tenancy)
 - (b) use the property for temporary park purposes (such as staff housing or offices), or use existing authority or seek authority to lease the property for appropriate uses other than residential (such as office space for nonprofit, resource-oriented organizations)
- If properties are not used or disposed of for one of the above purposes, removal from within the seashore will be accomplished through open-

market sale for reuse or salvage, surplus to another agency, donation to a public agency, or demolition.

Terms of nongovernmental use of federal property — When a property is deemed suitable for use as housing, the following terms will apply:

- All properties will be leased at current fair market value and can only be used for private residential use, in accordance with federal law and NPS policy; no subletting or renting to a third party will be allowed.
- In all cases where the property has been occupied by a nongovernmental party, the permittee will be required to maintain and insure the property, pay applicable local possessory use taxes, and possibly remove (relocate or demolish) the structure and restore the site at the end of the term.